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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,320	05/09/2002	Marko Siiskonen	042933/321087	7933
826 7590 03/28/2008 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			EXAMINER NGUYEN, QUYNH H	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/069,320

Applicant(s)

SIISKONEN ET AL.

Examiner

QUYNH H. NGUYEN

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/15/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed 01/15/08 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 1-45 are still pending in this application, with claims 1, 20, 25, and 44 being independent.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claims 1-3, 6, 10-13, 20-21, 23-26, and 40-45 are rejected under 35 U.S.C. 102(b) as being unpatentable over Tamagawa et al. (US Patent 5,657,382) in view of Palviainen (U.S. Patent 5,920,812).

As to claims 1 and 45, Tamagawa et al. teaches a method of notifying a call forwarding party about a forwarded call, said method comprising the steps of: forwarding a call from a calling party (col. 4, line 27) to a destination (col. 4, lines 38-42 - *terminal 7A*) defined by the call forwarding party (col. 4, lines 34-38 - *terminal 6A*); establishing processable data content of a notification about the forwarded call; and sending the notification by a service of a communication network to a terminal of the call forwarding party (see abstract - *first terminal*), wherein the notification comprises said processable data content, and the terminal of the call forwarding party is different from

the destination defined by the call forwarding party (see abstract; Fig. 2, 123; col. 6, lines 35-40).

Tamagawa et al. does not teach the notification comprises information about a type of forwarding.

Palviainen teaches teach the notification comprises information about a type of forwarding and based on the type of call to determine the forwarding type (col. 2, line 58 through col. 3, line 6; col. 6, lines 66-67). For example, for speech calls forwarded to a secretary, the forwarding type is voice call; for telefax call forwarded to the office telefax number, the forwarding type is data call (col. 9, lines 10-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Palviainen into the teachings of Tamagawa for the purpose of checking the type of transmitting call and omitting announcements relating to the type of forwarding in connection with a data call.

As to claims 2 and 21, Tamagawa et al. teaches the processable data content comprises information about at least one of a time of forwarding, a calling party number (col. 5, lines 8-13), a call duration, a call charge and a number to which said call has been forwarded.

As to claims 3 and 26, Tamagawa et al. teaches the information comprising said processable data content of the notification corresponds to data, which is processable by the terminal of the call forwarding party (see abstract - *first terminal*).

As to claims 6 and 10-11, Tamagawa et al. do not teach sending of the notification is performed by utilizing a packet data bearer, and sending the notification to

a terminal of a call forwarding party and call forwarding request is a service within intelligent network SCP. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate intelligent and packet network into the teachings of Tamagawa in order to have a more efficient system with a wide variety of networks environment.

As to claims 12 and 13, Tamagawa et al. teaches the processable data content includes at least part of the conditions that have resulted in call forwarding and the conditions are the data on which the forwarding service has made the decision to forward the call (col. 2, line 65 through col. 3, line 2; col. 4, lines 27-38).

As to claim 20, Tamagawa et al. teaches a communication network comprising: a call forwarding service device (*central control unit 12A*) which is able to determine a calling party number (col. 5, lines 8-13); a device for measuring a call duration of a forwarding call (col. 4, lines 2-5; col. 5, lines 8-13; col. 6, lines 33-38 - *where Tamagawa discussed transferring call transfer information, hence it would have been obvious that a call duration of a forwarding call is one of the call transfer information*); and a service device for sending a notification to a terminal of a call forwarding party (col. 5, lines 6-13), and the terminal of the call forwarding party is different from the destination defined by the call forwarding party (see abstract; Fig. 2, 123; col. 6, lines 35-40).

Tamagawa et al. does not teach the notification comprises information about a type of forwarding.

Palviainen teaches teach the notification comprises information about a type of forwarding and based on the type of call to determine the forwarding type (col. 2, line 58

through col. 3, line 6; col. 6, lines 66-67). For example, for speech calls forwarded to a secretary, the forwarding type is voice call; for telefax call forwarded to the office telefax number, the forwarding type is data call (col. 9, lines 10-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Palviainen into the teachings of Tamagawa et al. for the purpose of checking the type of transmitting call and omitting announcements relating to the type of forwarding in connection with a data call.

As to claims 23 and 40-41, Tamagawa et al. teaches at least some of the functionalities of the call forwarding service device, measuring device, notification sending service device and voice processing server are implemented into one single device (Fig. 2, control unit 12A).

As to claims 24 and 42-43, Tamagawa et al. teaches at least some of the functionalities of the call forwarding service device, measuring device, notification sending service device and voice processing server is distributed over at least two different devices (col. 4, lines 27-45).

As to claim 25, Tamagawa et al. teaches the steps of: means adapted for setting a call forwarding service device of a communication network to which network said terminal subscriber (col. 5, lines 1-7); means adapted for receiving a notification having processable data from the forwarded call (see abstract; Fig. 2, 123; col. 6, lines 35-40), the terminal of the call forwarding party is different from the destination defined by the call forwarding party (see abstract; Fig. 2, 123; col. 6, lines 35-40); and means adapted for displaying a content of said notification (col. 6, lines 38-40).

Tamagawa et al. does not teach the notification comprises information about a type of forwarding.

Palviainen teaches teach the notification comprises information about a type of forwarding and based on the type of call to determine the forwarding type (col. 2, line 58 through col. 3, line 6; col. 6, lines 66-67). For example, for speech calls forwarded to a secretary, the forwarding type is voice call; for telefax call forwarded to the office telefax number, the forwarding type is data call (col. 9, lines 10-16).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Palviainen into the teachings of Tamagawa et al. for the purpose of checking the type of transmitting call and omitting announcements relating to the type of forwarding in connection with a data call.

Claim 44 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Tamagawa et al. teaches a computer program product comprises a computer readable storage medium having computer readable program codes to perform the steps of claim 44 (col. 6, lines 44-53).

4. Claims 4-5, 7-9, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa and Palviainen, and further in view of Pepper et al. (U.S. Patent 5,930,700).

As to claims 4-5, 7-9, and 22, Tamagawa and Palviainen do not teach the notification is a message of the Short Message Service, Unstructured Supplementary

Service Date, voice processing server, and within a mobile network and Wireless Telephony Applications server.

Pepper et al. teaches notifying / alerting the subscriber (col. 12, lines 35-41) via the subscriber's PCS connected to a wireless communications network such as Short Message service Unstructured Supplementary Service Date, voice processing server, and within a mobile network and Wireless Telephony Applications server (col. 8, lines 35-52; col. 1, line 65 through col. 2, line 61; col. 2, lines 42-46 - *where Pepper discussed the PDA (communicates with the GUI to alert the subscriber - col. 6, lines 1-5) connected to a wireless communications network which provides voice and other types of communication, i.e. short message*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Pepper into the teachings of Tamagawa and Palviainen thus making the system more efficient and diverse by notifying the subscriber via different types of communications such as e-mail, facsimile, Short Message Service, etc.

5. Claims 14-19, 27-29, 31-32, and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa and Palviainen and further in view of Shen et al. (US 2001/0010691).

As to claims 14, 28-29, 31-32, and 36-39, Tamagawa and Palviainen do not teach a break-off condition of the forwarded call is predefined by a user of the terminal, and the notification is sent when the break-off condition is fulfilled, after which the

method further comprises the step of accepting or refuse a continuation of the forwarded call.

Shen et al. teaches a break-off condition of the forwarded call is predefined by a user of the terminal, and the notification is sent when the break-off condition is fulfilled, after which the method further comprises the step of accepting or refuse a continuation of the forwarded call (page 5, [0035] - *where Shen discussed prompting the user with selection menu options of accepting a call forwarding / refusing a break-off condition of the forwarded call or routing the incoming call to a destination, i.e., answering machine*; and page 4, [0029] - *where Shen discussed the user accept a break-off condition of the forwarded call and the subscriber can accept the incoming call*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Shen into the teachings of Tamagawa and Palviainen thus making the system more efficient by allowing the user or subscriber to control of the enabling and disabling the call forwarding in order to better handling the incoming calls based on his or her schedule.

As to claims 15 and 16, Tamagawa, Palviainen, and Shen do not teach the breaking-off condition is one of a maximal call charge and a maximal call duration depending on the calling party number including the possibility that no break-off condition exist for some certain calling party numbers. Selective call forwarding is an old and well-known telephony feature, and the advantage of using it is also well known. For example, the user / subscriber forward all incoming calls except for important calls from his or her boss, spouse, or emergency calls.

As to claims 17, 19, and 27, Shen et al. teaches an input to the terminal in reaction to the prompting is manually and automatically performed by the user (page 5, [0035]).

As to claim 18, Tamagawa and Shen do not teach the forwarded call is cleared if there is no input within a specified time. This feature is also well known and the advantage of using it is also well known. For example, setting the time out to time out after a certain time period waiting for a response from the user, hence saving system resource.

6. Claims 30 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamagawa, Palviainen, and Pepper and further in view of Shen et al. (US 2001/0010691).

Claims 30 and 33-35 are rejected for the same reasons as discussed above with respect to claim 14.

Response to Arguments

7. Applicant's arguments filed 1/15/08 have been fully considered but they are not persuasive.

Applicant mainly argues that the cited secondary reference Palviainen teaches a notification message concerning the type of call, while the instance application recites information about a type of forwarding. Examiner respectfully submits that Palviainen teaches based on the type of call to determine the forwarding type (col. 2, line 58

through col. 3, line 6; col. 6, lines 66-67). For example, for speech calls, the forwarding type is voice call, forwarded the call to a secretary; for telefax call, the forwarding type is data call, forwarded the call to the office telefax number. Applicant further provides example about type of forwarding such as "whether a call has been or is to be multiply-forwarded, or whether a call is to be forwarded after some delay or queue time or perhaps whether a call should be only partially forwarded". Examiner respectfully submits that these are not recited in the claims or in specification. In addition, one of ordinary skill in the art would not relate the type of forwarding as the above examples of Applicant.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 272-573-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quynh H Nguyen/

Primary Examiner, Art Unit 2614